

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DUSTIN LEE HUTCHINS,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-24-00948-JD
)	
CARRIE BRIDGES, Warden,)	
)	
Respondent.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of Judge Chris M. Stephens [Doc. No. 6] recommending that (1) Petitioner’s Motion for Leave to Proceed *in forma pauperis* [Doc. No. 5] be denied and (2) Petitioner be ordered to pay the \$5.00 filing fee in full to the Clerk of Court within twenty-one (21) days of this Court’s Order adopting the Report and Recommendation. [Doc. No. 6 at 2]. Judge Stephens advised Mr. Hutchins that he may file an objection to the Report and Recommendation with the Clerk of Court by November 18, 2024, and that failure to timely object to the Report and Recommendation waives the right to appellate review of both factual and legal issues contained in the Report and Recommendation. *Id.*; *see also* 28 U.S.C. § 636(b).

The record reflects that no objection to the Report and Recommendation has been filed by the deadline, and no extension of time to object has been requested. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991) (explaining that the Tenth Circuit’s “firm waiver rule” “provides that the failure to make timely objection to the magistrate

[judge]’s findings or recommendations waives appellate review of both factual and legal questions”).

The Court therefore **ACCEPTS** the Report and Recommendation [Doc. No. 6] in its entirety, **DENIES** Petitioner’s Motion for Leave to Proceed *in forma pauperis* [Doc. No. 5], and **ORDERS** Petitioner to pay the filing fee of \$5.00 in full to the Clerk of Court within twenty-one (21) days of this Order, or by **December 12, 2024**. Failure to comply with this Order and pay the \$5.00 filing fee to the Clerk of Court in full by the deadline of December 12, 2024, will result in this action being dismissed without prejudice and without further warning and opportunity to cure.

IT IS SO ORDERED this 21st day of November 2024.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", is written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE